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MAR 17 2004

Docket No.: PUNIV.002A

CUSTOMER NO. 20995

Applicant : Bassler et al.
 App. No. : 09/853,257
 Filed : May 10, 2001
 For : LUXO-SIGMA54 INTERACTIONS AND
 METHODS OF USE
 Examiner : Duffy, Patricia Ann
 Group Art Unit : 1645

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
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 facsimile to the USPTO Central Fax No. (703)
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March 17, 2004

Joseph J. Mallon
 Joseph J. Mallon, Reg. No. 39,287

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

(X) Response to Restriction Requirement in 2 pages.

FILING FEES:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims minus 20; or Previously Paid	4 - 53 = 0	1202 (\$18)	4 x 0 =	\$0
Independent minus 3; or Previously Paid	1 - 18 = 0	1201 (\$86)	1 x 0 =	\$0
SUB TOTAL				\$0
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				\$0
TOTAL FEE DUE				\$0

(X) Total pages in transmission: 3

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.

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PUNTV.002A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

Applicant	:	Bassler et al.)	Group Art Unit 1645
)	
Appl. No.	:	09/853,257)	CERTIFICATE OF FAX
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Filed	:	May 10, 2001)	I hereby certify that this correspondence
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For	:	LUXO-SIGMA54)	Central Fax No. (703) 872-9306 on the
		INTERACTIONS AND)	date shown below:
		METHODS OF USE)	
)	March 17, 2004
)	(Date)
Examiner	:	Duffy, Patricia Ann)	<i>Joseph J. Mallon</i>
)	Joseph J. Mallon, Reg. No. 39,287

RESPONSE TO RESTRICTION REQUIREMENT

United States Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Dear Sir:

Applicants have received the Office Action of February 18, 2004. Claims 1-53 are currently pending in this application.

The Office requires restriction to one of the following groups:

- Group I: Claims 1, 3, 4 and 5, drawn to polypeptides, classified in class 530, subclass 350.
- Group II: Claims 2, 6 and 7, drawn to nucleic acids, classified in class 536, subclass 23.7.
- Group III: Claim 8, drawn to antibodies, classified in class 530, subclass 387.1.
- Group IV: Claims 9, 10, 11 and 12, drawn to methods of using LuxO, classified in class 514, subclass 2.
- Group V: Claims 13-23 and 29-32, drawn to methods of screening for compounds that modulate the binding of LuxO and sigma 54 polypeptide, classified in class 435, subclass 7.9.

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- Group VI: Claims 24-28, drawn to pharmaceutical compositions, classified in class 536, subclass 24.5.
- Group VII: Claims 33-42, drawn to methods of using the pharmaceutical compositions to regulate expression of a virulence factor, classified in class 514, subclass 2.
- Group VIII: Claims 43-46, drawn to methods of regulation bacterial colony morphology, classified in class 435, subclass 6.
- Group XI: Claims 47-51, drawn to methods for treating a subject, classified in class 514, subclass 44.
- Group X: Claims 52 and 53, drawn to a bacterial cell, classified in class 435, subclass 243.

In response, Applicants hereby elect Group IV, Claims 9, 10, 11 and 12, without traverse, for further prosecution on the merits, and understand that the claims of Groups I-III and V-X, Claims 1-8 and 13-53, will be withdrawn as being directed to a non-elected invention.

Applicants reserve the right to file divisional and/or continuation applications containing claims directed to all or part of the subject matter of any claims amended, withdrawn, or canceled at any time during the prosecution of this application, and thus unclaimed subject matter is not dedicated to the public.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 17, 2004

By: Joseph J. Mallon

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